

Appendix F — Revised Draft HRA-EIS Comment Response Summary

F1.0 Introduction

On April 23, 1999, the U.S. Department of Energy (DOE) issued the *Revised Draft Hanford Remedial Action Environmental Impact Statement and Comprehensive Land-Use Plan* (DOE/EIS-0222D) for review by Washington and Oregon state governments, Indian Tribes, other Federal agencies, county and municipal governments, special-interest groups, environmental groups, and the general public. The formal comment period ran for 45 days, from April 23, 1999 to June 7, 1999.

As part of the public comment process, DOE held four public hearings to receive comments. These hearings were held in Portland, Oregon on May 18, 1999; Richland, Washington on May 20, 1999; Mattawa, Washington on June 2, 1999; and Spokane, Washington on June 3, 1999.

The DOE solicited public comment on a proposed name change for the document as well as on the document itself. The DOE proposed changing the name of the EIS from the *Hanford Remedial Action Environmental Impact Statement and Comprehensive Land-Use Plan* (HRA-EIS) to a title that better reflects land use. The public endorsed this change and, in the Final EIS, the name of the HRA-EIS has been changed to the *Hanford Comprehensive Land-Use Plan Environmental Impact Statement* (HCP EIS).

The DOE received more than 400 comment documents on the Revised Draft HRA-EIS. Comment documents included letters, postcards, questionnaires, and surveys as well as electronic mail. Comment documents were received from tribes and Federal agencies, Washington and Oregon state agencies, county and municipal governments, environmental groups, and private citizens. In addition, more than 200 pages of transcripts were generated during the public hearings.

Comments received on the Revised Draft HRA-EIS as well as the transcripts from the public hearings are contained in a Final HCP EIS Comment Response Document which, in addition to being sent to the EIS mailing list, is available for review in the DOE public reading rooms. The Comment Response Document consists of three parts: 1) a summary of the major topics raised by public comments received and DOE's generalized responses (also included as Appendix F), 2) specific public comments and DOE's specific responses, and 3) a copy of each public comment received by DOE on the Revised Draft HRA-EIS, and copies of the complete transcripts from each of the four public hearings. Indices are provided in the Comment Response Document to enable commenters to find their comments and DOE's responses.

The Final EIS is being transmitted to commenting agencies, made available to the public, and filed with the Environmental Protection Agency (EPA). A DOE decision on proposed actions would not be made earlier than 30 days after EPA publishes a Notice of Availability for the Final EIS in the *Federal Register*. The DOE would record its decision as a publicly available Record of Decision (ROD) published in the *Federal Register*.

F1.1 Methodology

The DOE considered all comments. Equal weight was given to spoken and written comments, to comments received at the public hearings, and to comments received in other

ways. The comment period was not intended to solicit “votes” or “endorsements” regarding the proposed action or any alternative analyzed. Rather, comments were reviewed for content and relevance to the environmental analysis contained in the EIS.

Spoken comments presented at the public hearings were recorded by a court reporter and a verbatim transcript produced (see transcripts at the end of this document). The written comments and transcripts were reviewed and the major topics were identified. These major topics are summarized below in Section F2.0 and repeated in the comment response document. The summarized topics are followed by DOE’s generalized responses. The letter numbers are indexed to the authors in the comment response document, but not in this Appendix.

F2.0 Major Topics (Summarized) and DOE’s Responses

The DOE considered all comments received on the Revised Draft HRA-EIS. Many of the comments supported particular alternatives or a combination of alternatives, while others addressed environmental issues, such as the value of wildlife habitat and the importance of preserving habitat for plants and animals (including the diminishing population of salmon). A significant number of comments addressed designating the Hanford Reach as a Wild and Scenic River.

F2.1 Major Topics

The major topics associated with the comments received on the Revised Draft HRA-EIS are presented collectively in this section. Each major topic raised through the comment process (including the number of comments supporting or opposed to a particular subject) is summarized below, followed by DOE’s generalized response to the summarized comments and the numbers (codes) of those who commented.

F2.1.1 No-Action Alternative

Four letters commented on the No-Action Alternative. Two of the three opposed the lack of planning in this alternative. One comment supported this alternative. One commenter supported the No-Action Alternative if Alternative Three was not selected. (Total No-Action Alternative = 4). RL075, RL291, RL322, RTM015

DOE’s Response: The No-Action Alternative does not provide for overall planning at the Hanford Site. The DOE is required, under 42 USC 7274k (Public Law 104-201, Section 3153, *National Defense Authorization Act for Fiscal Year 1997*), to develop a future-use plan for the Hanford Site. The DOE policy is to support critical DOE missions, stimulate the economy, and protect the environment. This land-use plan provides a means for coordinating planning and plan implementation with Tribal governments and local jurisdictions, as well as facilitating site and infrastructure transition and privatization activities.

F2.1.2 DOE’s Preferred Alternative

Numerous people offered comment on the DOE’s Preferred Alternative in the Revised Draft HRA-EIS, with 27 letters in favor of the alternative, and 6 opposed. Many of the supporting letters favored some modification of the alternative to further protect the environment, while those opposing this alternative did so because of lack of economic development (specifically in Grant County), and putting the Wahluke Slope under Federal control. Two of these specifically expressed support of the B Reactor museum. Several expressed that this was the most balanced of the alternatives, providing both development and protection. (Total DOE’s Preferred Alternative = 33). RE028, RL024, RL025, RL032, RL039, RL098, RL106, RL120, RL121, RL181,

1 RL205, RL228, RL244, RL291, RL306, RL319, RL322, RL361, RL381, RL440, RL445, RLM002,
2 RLR002, RLR004, RTM008, RTM010, RTM011, RTP011, RTR001, RTR014, RTR021, RTS003,
3 RTS010
4

5 **DOE's Response:** The DOE has modified its Preferred Alternative in the Final HCP EIS in
6 response to these comments. The DOE believes that its new modified Preferred Alternative
7 gives the same balanced approach to future land development and protection of the environment
8 as did the DOE's Preferred Alternative in the Revised Draft HRA-EIS, while supporting the DOE
9 missions of Environmental Management (otherwise known as the "cleanup mission") and
10 science and technology at the Hanford Site. The B Reactor museum is retained in DOE's
11 Preferred Alternative in the Final HCP EIS. This alternative supports economic development on a
12 regional level, and protects the environment by placing a large portion of the Hanford Site under
13 management of the U.S. Fish and Wildlife Service (USFWS) as an overlay wildlife refuge.
14

15 **F2.1.3 Alternative One**

16
17 Alternative One was the subject of 15 letters, with 14 in favor of this alternative and
18 1 opposed. Those in favor were particularly interested in the emphasis on preservation and the
19 additional protection that it provides for high value or sensitive ecological areas on the Hanford
20 Site, and the prohibition against agriculture, mining, grazing, and intensive recreational use that
21 would compromise the ecological and wildlife values presented. They felt the DOE's Preferred
22 Alternative as presented in the Revised Draft HRA-EIS did not go far enough in furthering this
23 goal. A desire to further protect the unique shrub-steppe habitat was also expressed. The
24 opposing letter expressed the need for some economic development, in addition to some
25 environmental protection. (Total Alternative One = 15). RL003, RL222, RL282, RL283, RL291,
26 RL322, RL340, RL352, RL439, RL445, RTP001, RTP011, RTR014, RTR015, RTR018
27

28 **DOE's Response:** While Alternative One does meet the goal of environmental protection, it
29 does not fulfill all of DOE's missions. These include planning for continuation of the primary
30 missions of the site and planning for future economic development. In response to public
31 comment, DOE has eliminated grazing and increased the area of preservation in its Preferred
32 Alternative in the Final HCP-EIS, while allowing industrial development on land used for, or
33 adjacent to, land already used for industrial-type functions. This supports the DOE mission of
34 Science and Technology. Mining areas are needed for the primary mission of the site, which is
35 Environmental Management (otherwise known as the "cleanup mission"). To the extent that a
36 significant portion of the Hanford Site can be shared with these two primary missions, these
37 areas would be placed under management of the USFWS, to be managed as an overlay wildlife
38 refuge.
39

40 **F2.1.4 Alternative Two**

41
42 Alternative Two was supported by 47 commenters, with 2 opposing the alternative. The
43 primary issue expressed in the supporting comments was the additional protection given to the
44 environment, particularly that afforded to the high value ecological areas and natural and sensitive
45 lands on the Hanford Site. Some commenters expressed the desire for even more protection of
46 the environment, citing this alternative as the one closest to total preservation and restoration of
47 the site. One commenter was supporting this alternative also because of the alternative's
48 support for the B Reactor museum. The two opposing commenters cited the lack of any areas
49 for economic development. (Total Alternative Two = 49). RE013, RL119, RL154, RL159, RL185,
50 RL226, RL230, RL264, RL270, RL283, RL286, RL287, RL288, RL291, RL295, RL296, RL309,
51 RL310, RL311, RL312, RL322, RL331, RL338, RL339, RL344, RL346, RL347, RL356, RL358,
52 RL445, RLS002, RLS003, RLS004, RTP007, RTP008, RTP013, OR014, RTR019, RTS013,
53 RTS016, RTS018, RTS002, RTS003, RTS004, S008, RTS009, RTS020, RTS022, RTS025
54

55 **DOE's Response:** While Alternative Two does meet the goal of environmental protection, it

does not meet DOE's desires. These include planning for continuation of the primary missions of the site, and planning for future economic development. In response to public comment, DOE has eliminated grazing and increased the area of preservation in its Preferred Alternative in the Final HCP-EIS, while allowing industrial development on land used for, or adjacent to, land already used for industrial-type functions. This supports the DOE mission of science and technology. Mining areas are needed for the primary mission of the site, which is Environmental Management (otherwise known as the "cleanup mission"). To the extent that a significant portion of the Hanford Site can be shared with these two primary missions, these areas would be placed under management of the USFWS, to be managed as an overlay wildlife refuge.

F2.1.5 Alternative Three

Alternative Three was discussed by 69 commenters, with 12 in opposition to the alternative and 57 in favor. Commenters who supported this alternative cited the need for economic development of the land in Grant County (by turning the land over to farming). These commenters felt that to be fair, the land should be given back to the farmers from whom it was taken to create the Hanford Site in the 1940s. A comment was also made that the property tax that would have been collected by the county would have gone into schools for children. These commenters believed that Alternative Three supports environmental protection goals, and is balanced between environmental protection and economic development. They supported Alternative Three as the alternative which best represented the Wahluke 2000 Plan. Those opposed to Alternative Three expressed the need for protection of the shrub-steppe habitat, and the concern that irrigation would undermine the White Bluffs. (Total Alternative Three = 69). RE028, RL100, RL120, RL131, RL200, RL220, RL222, RL258, RL285, RL291, RL297, RL298, RL301, RL305, RL307, RL314, RL322, RL329, RL330, RL332, RL333, RL335, RL336, RL337, RL340, RL341, RL345, RL348, RL349, RL350, RL351, RL354, RL358, RL372, RL373, RL374, RL375, RL381, RL384, RL436, RL437, RL441, RL442, RL447, RLM003, RTM001, RTM002, RTM003, RTM004, RTM005, RTM006, RTM007, RTM009, RTM011, RTM012, RTM014, RTM015, RTM016, RTM017, RTM019, RTM020, RTM021, RTP007, RTP008, RTP011, RTP013, RTR014, RTS001, RTS005

DOE's Response: While Alternative Three does have some aspects of balance, there is no area set aside that is large enough to support DOE's Science and Technology Mission which includes site stewardship. Alternative Three does support DOE's mission to provide economic growth, and provides for the current and future missions of DOE on the Hanford Site. In the DOE's Preferred Alternative in the Final HCP-EIS, there is a balance of development and environmental protection. In a regional context, the area is served by both land area for economic development and future missions, and by protecting a large area of shrub-steppe habitat that supports many wildlife species, and provides an outdoor lifestyle.

F2.1.6 Alternative Four

Seven comments were received regarding Alternative Four. Five were in favor, and two were against this alternative. The commenters opposing Alternative Four expressed concern that there was no economic development allowed, while those in support cited either the necessity of using the McGee Ranch silt in the cleanup effort as a modification, or support for the large amount of preservation in this alternative. (Total Alternative Four = 7). RL270, RL291, RL322, RL438, RTP011, RTS003, RTS012

DOE's Response: While Alternative Four does meet the goal of environmental protection, it does not meet DOE's desires. These include planning for continuation of the primary missions of the site and planning for future economic development. In response to public comment, DOE has eliminated grazing and increased the area of preservation in its Preferred Alternative in the Final HCP-EIS, while allowing industrial development on land used for, or adjacent to, land already used for industrial-type functions. This supports the DOE mission of science and

technology. Mining areas are needed for the primary mission of the site, which is Environmental Management (otherwise known as the “cleanup mission”). To the extent that a significant portion of the Hanford Site can be shared with these two primary missions, these areas would be placed under management of the USFWS, to be managed as an overlay wildlife refuge.

F2.1.7 National Wildlife Refuge/DOE’s Preferred Alternative

More than 300 commenters wrote concerning the DOE’s Preferred Alternative, with the modification that a National Wildlife Refuge be created/expanded for additional protection of the environment. Six commenters were against this combination, citing as their reasons the USFWS’s lack of adequate resources to properly manage the land, and the DOE’s ignoring the previous use in farming and future economic development. (Total Refuge/Preferred Alternative = 306). RE001, RE002, RE003, RE004, RE006, RE007, RE009, RE010, RE014, RE015, RE017, RE019, RE021, RE026, RE029, RL002, RL005, RL006, RL007, RL008, RL009, RL010, RL011, RL012, RL013, RL014, RL015, RL016, RL017, RL018, RL019, RL020, RL021, RL022, RL023, RL026, RL027, RL028, RL029, RL030, RL033, RL034, RL035, RL036, RL037, RL040, RL041, RL042, RL043, RL044, RL045, RL046, RL048, RL049, RL051, RL052, RL053, RL055, RL057, RL058, RL059, RL060, RL062, RL064, RL065, RL066, RL067, RL068, RL069, RL071, RL072, RL074, RL076, RL077, RL078, RL079, RL080, RL081, RL082, RL083, RL084, RL085, RL086, RL087, RL089, RL090, RL091, RL092, RL093, RL094, RL095, RL096, RL099, RL100, RL101, RL102, RL103, RL104, RL105, RL107, RL109, RL110, RL111, RL112, RL114, RL115, RL122, RL123, RL124, RL125, RL127, RL128, RL129, RL130, RL132, RL133, RL134, RL135, RL136, RL137, RL138, RL139, RL140, RL141, RL142, RL145, RL148, RL149, RL150, RL151, RL152, RL153, RL156, RL157, RL158, RL160, RL161, RL162, RL163, RL164, RL165, RL167, RL168, RL170, RL172, RL173, RL174, RL175, RL177, RL179, RL180, RL183, RL184, RL186, RL187, RL188, RL189, RL190, RL191, RL192, RL193, RL194, RL195, RL196, RL197, RL198, RL203, RL204, RL207, RL208, RL209, RL211, RL213, RL214, RL215, RL216, RL217, RL218, RL219, RL220, RL223, RL224, RL225, RL227, RL228, RL229, RL231, RL236, RL238, RL240, RL241, RL242, RL243, RL245, RL246, RL247, RL248, RL249, RL252, RL253, RL254, RL255, RL256, RL257, RL261, RL262, RL266, RL267, RL268, RL269, RL271, RL272, RL273, RL274, RL275, RL276, RL277, RL278, RL279, RL280, RL281, RL288, RL289, RL291, RL294, RL300, RL302, RL314, RL315, RL316, RL320, RL321, RL323, RL326, RL327, RL340, RL342, RL352, RL353, RL355, RL359, RL360, RL362, RL363, RL364, RL365, RL366, RL367, RL368, RL369, RL370, RL376, RL377, RL378, RL379, RL380, RL382, RL383, RL443, RL444, RL445, RL448, RL450, RL451, RLR001, RLR003, RLR005, RLR006, RLS005, RTM001, RTM004, RTM005, RTM007, RTM010, RTP004, RTP006, RTP011, RTP012, RTR002, RTR005, RTR006, RTR007, RTR008, RTR009, RTR010, RTR011, RTR012, RTR013, RTR014, RTR016, RTR019, RTR024, RTR026, RTS001, RTS002, RTS003, RTS006, RTS007, RTS009, RTS014, RTS015, RTS016, RTS018, RTS019, RTS020, RTS024

DOE’s Response: The DOE has proposed a Preferred Alternative in the Final HCP-EIS which embraces this combination of economic development, future missions, and environmental protection. The USFWS would be given the responsibility to manage the Wahluke Slope, the Hanford Reach (including the islands outside of Benton County), McGee Ranch, the riverlands, and the Arid Lands Ecology (ALE) Reserve as an overlay wildlife refuge, while DOE retains ownership of the land.

F2.1.8 Other Combinations

More than 100 comments expressed concern or support for parts of alternatives or additional alternatives. A few commenters submitted alternative maps they had made themselves for DOE’s consideration. Some commenters addressed specifically the issue of local versus Federal control. A few supported an extension to the public comment period. Two commenters suggested that additional mapping be done to better represent the wildlife population picture. Others suggested that cleanup, not planning, be the focus of the mission at the Hanford

1 Site. These “other combinations” comments are summarized below. (Total Other Combo =
2 118). RE004, RE005, RE008, RE012, RE015, RE016, RE020, RE022, RE023, RE024, RE025,
3 RE027, RE030, RL001, RL031, RL038, RL047, RL054, RL056, RL070, RL073, RL097, RL108,
4 RL117, RL118, RL143, RL144, RL152, RL166, RL169, RL176, RL181, RL182, RL197, RL199,
5 RL200, RL201, RL202, RL205, RL206, RL210, RL226, RL230, RL232, RL234, RL235, RL237,
6 RL239, RL240, RL241, RL248, RL249, RL251, RL259, RL260, RL263, RL270, RL282, RL283,
7 RL284, RL285, RL289, RL290, RL297, RL298, RL299, RL301, RL303, RL304, RL305, RL306,
8 RL308, RL309, RL311, RL313, RL314, RL317, RL318, RL319, RL321, RL322, RL325, RL328,
9 RL329, RL330, RL332, RL333, RL334, RL335, RL336, RL337, RL341, RL344, RL345, RL347,
10 RL349, RL350, RL351, RL356, RL357, RL358, RL361, RL371, RL373, RL381, RL384, RLM001,
11 RLM002, RLP001, RLS001, RLS004, RTM003, RTM018, RTM021, RTP004, RTP006, RTP014,
12 RTR009
13

14 **Local Control vs. Federal Control.** Many commenters were concerned about the issue of local
15 control versus Federal control of the land that currently comprises the Hanford Site. Overall, 65
16 commenters cited this issue, with 37 preferring Federal control and 28 preferring local control.
17

18 **DOE’s Response:** The Federal government would likely retain control of the entire Hanford Site
19 for the next 50 years, during which time it would be managed by a Federal agency. The DOE has
20 proposed that the USFWS manage a large portion of the Hanford Site as an overlay wildlife
21 refuge, while the current ownership remains under Federal control. Therefore, the decision being
22 made at this time is not whether the Federal government is relinquishing ownership of the land,
23 but instead, the decision of how to manage the land until such time that the land is considered
24 surplus.
25

26 **Extension to the Public Comment Period.** Three commenters requested a longer comment
27 period.
28

29 **DOE’s Response:** The DOE carefully considered the appropriate comment period length and
30 came to the decision that the NEPA-required 45 days was adequate. This decision was based
31 on several factors. These include the extended public comment period for the original Draft EIS
32 in 1996, and the fact that this is a revised draft of a descoped document. From the time the first
33 draft was issued in August 1996, to April 1999, extensive work was done with the participation of
34 the nine cooperating agencies to prepare a Revised Draft EIS that demonstrated many
35 perspectives of the land-use decision at the Hanford Site. The alternatives developed
36 encompassed the values and goals of many diverse groups within the region.
37

38 **Prioritizing Cleanup.** Six commenters urged DOE to keep cleanup efforts as its top priority, and
39 not allow land-use planning questions to delay any of the cleanup work.
40

41 **DOE’s Response:** The DOE recognizes the cleanup work at Hanford as its primary mission
42 and it is that cleanup mission that is the reason to implement a land-use plan which does not
43 address individual cleanup sites, but looks at the entire Hanford Site instead.
44

45 **Customized Alternatives.** Approximately 100 letters cited support for parts of alternatives, or
46 the comment writer’s own alternative. By an overwhelming majority, the support for more
47 preservation was expressed, ranging from more protection of the entire Hanford Site, to support
48 for additional wildlife refuge land. The commenters supporting local control cited the need for
49 agriculture on the Wahluke Slope.
50

51 **DOE’s Response:** The DOE has modified its Preferred Alternative in the Final HCP-EIS in
52 response to these comments. The new Preferred Alternative embraces additional wildlife refuge
53 acreage, yet retains economic development, planning for potential future site missions, and
54 recreational opportunities on the Hanford Site.
55

Wildlife Mapping. Two commenters suggested that additional wildlife mapping be done to several of the maps in the Revised Draft HRA-EIS, to more accurately reflect the Hanford Site's current wildlife populations.

DOE's Response: The maps (figures) included in the Final HCP-EIS have been labeled with the caveat that any wildlife population map cannot be completely accurate, since nesting and burrowing sites vary from season to season and year to year.

Wahluke 2000 Plan. Ten commenters supported the Wahluke 2000 Plan as an alternative that was not considered by the Revised Draft HRA-EIS. These commenters expressed concern that even the land use described in Alternative Three was not as balanced as the Wahluke 2000 Plan. The commenters also cited that the Wahluke 2000 Plan had already gone through a public process.

DOE's Response: The DOE worked with the Grant and Franklin County Planning Departments as cooperating agencies on preparation of the Revised Draft HRA-EIS and, subsequently, on preparation of this Final HCP EIS. The basis for the Wahluke Slope planning was the Wahluke 2000 Plan, as it was sent to Mr. Ron Izatt, then Director of the Environmental Restoration Division for the Department of Energy Richland Operations Office, on November 18, 1992, from Mr. Mark Hedman, representing the Wahluke 2000 Committee. The only difference between the map submitted then, and the map presented in Alternative Three of the Revised Draft HRA-EIS is the inclusion of wetlands protection as required by state and Federal regulations.

F2.1.9 Preservation

Several commenters expressed their support for preservation of the Hanford Site. Fifty-eight letters supported preservation in some aspect, although the amount of preservation cited varied from the addition of the 200 West Area sagebrush, to preservation of the entire Hanford Site. Many cited the Hanford Reach, the creation of a National Wildlife Refuge, McGee Ranch, May Junction, the islands, the LIGO land (when LIGO is complete), Gable Mountain, Gable Butte, and the sand dunes. Reasons cited were historical, ecological, cultural, biological, and economic. Some commenters thought there was enough preservation already. (Total Preservation = 58). RE018, RE020, RL004, RL016, RL029, RL040, RL050, RL061, RL063, RL074, RL088, RL102, RL113, RL116, RL119, RL123, RL126, RL146, RL171, RL178, RL204, RL206, RL212, RL243, RL250, RL265, RL282, RL283, RL288, RL289, RL291, RL299, RL302, RL322, RL326, RL355, RL358, RL360, RL367, RL439, RL440, RL443, RL445, RLR001, RLR003, RLR004, RTP005, RTP012, RTR015, RTR017, RTR018, RTR021, RTR022, RTR023, RTR025, RTS008, RTS010, RTS019

DOE's Response: It is because of the need to protect the environment (e.g., meeting DOE's policy as a Natural Resource Trustee), that acreage for preservation was considered a high priority. Many of the plants and animals on the Hanford Site need large expanses of land to survive. The DOE's Preferred Alternative in the Final HCP-EIS protects and preserves the environment by placing a large portion of the Hanford Site under management of the USFWS as an overlay wildlife refuge.

F2.1.10 Conservation (Mining)

Of the 149 commenters expressing a view on Conservation (Mining), only 11 felt that no mining at all should be allowed on the Hanford Site. The overwhelming majority felt that some mining could be allowed but only for the necessary materials for the cleanup of the Hanford Site. Some suggested that mining areas should be reclaimed and transferred into the Refuge after the cleanup mission. One commenter wanted the definition of mining in the Final HCP EIS to state that no removal of ore bodies or extraction of precious minerals would be included in the mining activity. Ten letters described specific areas that should not be mined (primarily the ALE

Reserve), while one commenter cited the need for McGee Ranch silt specifically for the cleanup program. (Total Conservation [Mining] = 149). RE006, RE007, RE009, RE010, RE014, RE017, RE019, RE020, RE021, RE026, RL002, RL009, RL014, RL027, RL042, RL051, RL068, RL076, RL077, RL085, RL086, RL092, RL095, RL099, RL100, RL103, RL107, RL112, RL114, RL115, RL120, RL121, RL124, RL125, RL136, RL139, RL141, RL148, RL149, RL154, RL155, RL162, RL167, RL170, RL172, RL173, RL174, RL179, RL180, RL184, RL185, RL186, RL187, RL188, RL189, RL190, RL191, RL192, RL196, RL197, RL203, RL206, RL207, RL213, RL217, RL220, RL222, RL224, RL225, RL226, RL229, RL230, RL236, RL238, RL239, RL242, RL243, RL249, RL252, RL253, RL254, RL255, RL256, RL261, RL262, RL266, RL271, RL273, RL274, RL275, RL277, RL279, RL280, RL281, RL282, RL283, RL289, RL294, RL309, RL314, RL320, RL326, RL327, RL338, RL339, RL340, RL342, RL343, RL344, RL346, RL355, RL360, RL362, RL366, RL368, RL371, RL376, RL379, RL438, RL443, RL446, RL448, RL450, RL451, RLR003, RLR004, RLR005, RLR006, RTP005, RTP006, RTP007, RTP008, RTP011, RTP012, RTR002, RTR005, RTR006, RTR008, RTR012, RTR016, RTR019, RTR022, RTS002, RTS010, RTS013, RTS016, RTS017, RTS018, RTS019

DOE's Response: The total Conservation acreage (Conservation [Mining and Grazing] and Conservation [Mining]) in the DOE's Preferred Alternative is approximately the same in the Final HCP-EIS as it was in the Revised Draft HRA-EIS. However, in response to public comment, the definition of mining has been modified to clarify what type of mining might be allowed. The new definition specifies that mining on the Hanford Site must first undergo a permit application process to determine need, and that only governmental mining would be allowed. The DOE needs mineral resources to adequately perform the cleanup mission, and the State of Washington needs mining capability to maintain the state highway that runs through the Hanford Site. DOE has just converted its first gravel pit near the river into a wetland as a reclamation project and intends to complete some type of reclamation when finished at the major mining areas. No commercial mining would be allowed on the Hanford Site. Big Bend Alberta Mining Company, which currently holds mining rights on about 518 ha (1,280 ac) on the ALE Reserve, is not under the control of DOE.

F2.1.11 Conservation (Mining and Grazing)

More than 200 commenters were against allowing any commercial grazing on the Hanford Site. Many commenters cited grazing as being incompatible with wildlife protection. One commenter specifically mentioned the adverse impact on the elk population if fences were put up to contain livestock. The spreading of noxious weeds was also attributed to livestock grazing, because hoofs tear up the delicate ground cover habitat. There was a concern for possible plutonium contamination, and it was expressed that livestock grazed on the Hanford Site would be bad perceptually for all of Washington State agriculture. Three commenters supported limited grazing, or supported local control instead of this being a Federal decision. (Total Conservation [Mining and Grazing] = 240). RE006, RE007, RE009, RE010, RE014, RE017, RE019, RE020, RE021, RE023, RE026, RL002, RL004, RL005, RL006, RL007, RL008, RL009, RL012, RL013, RL014, RL015, RL016, RL017, RL018, RL019, RL020, RL021, RL023, RL026, RL027, RL028, RL029, RL032, RL034, RL036, RL037, RL038, RL039, RL040, RL041, RL042, RL043, RL045, RL049, RL051, RL055, RL057, RL058, RL059, RL060, RL062, RL064, RL065, RL067, RL068, RL072, RL074, RL076, RL077, RL084, RL085, RL086, RL087, RL092, RL095, RL099, RL100, RL101, RL103, RL107, RL112, RL114, RL115, RL119, RL120, RL121, RL124, RL125, RL136, RL139, RL140, RL141, RL145, RL148, RL149, RL153, RL154, RL157, RL158, RL161, RL163, RL164, RL165, RL167, RL168, RL170, RL172, RL173, RL174, RL175, RL176, RL177, RL178, RL179, RL180, RL181, RL184, RL185, RL186, RL187, RL188, RL189, RL190, RL191, RL192, RL196, RL197, RL198, RL203, RL204, RL206, RL207, RL208, RL210, RL212, RL213, RL217, RL218, RL219, RL220, RL224, RL225, RL226, RL227, RL229, RL230, RL236, RL238, RL239, RL242, RL243, RL249, RL252, RL253, RL254, RL255, RL256, RL261, RL262, RL266, RL267, RL268, RL269, RL271, RL273, RL274, RL275, RL277, RL279, RL280, RL281, RL282, RL283, RL288, RL289, RL292, RL293, RL294, RL296, RL302, RL309, RL312, RL314, RL320, RL326,

1 RL327, RL338, RL339, RL340, RL342, RL343, RL344, RL346, RL355, RL356, RL360, RL362,
2 RL366, RL368, RL369, RL371, RL376, RL379, RL383, RL438, RL439, RL443, RL445, RL448,
3 RL449, RL450, RL451, RLR001, RLR003, RLR004, RLR005, RLR006, RLS002, RLS005,
4 RTP004, RTP005, RTP006, RTP007, RTP008, RTP010, RTP011, RTP012, RTP013, RTR002,
5 RTR003, RTR004, RTR005, RTR006, RTR007, RTR008, RTR010, RTR011, RTR012, RTR014,
6 RTR016, RTR019, RTR022, RTS002, RTS010, RTS013, RTS016, RTS017, RTS018, RTS019
7

8 **DOE's Response:** In response to the strong public sentiment on this issue, DOE has eliminated
9 grazing from its Preferred Alternative in the Final HCP-EIS. In doing so, DOE considered the
10 effects of grazing on the wildlife habitat, including the potential for the spread of noxious weeds
11 when livestock hooves damage the ground cover. The land-use definition of Conservation
12 (Mining and Grazing) was included in DOE's Preferred Alternative in the Revised Draft HRA-EIS
13 to accommodate a grazing permit granted by the State of Washington for the Wahluke State
14 Wildlife Recreation Area. The state allowed this permit to expire on December 31, 1998.
15

16 **F2.1.12 Low-Intensity Recreation**

17

18 Twenty-five letters addressed Low-Intensity Recreation on the Hanford Site. Eight
19 commenters supported boat launches. Four of these supported a boat launch only at Vernita and
20 not at White Bluffs, while four supported a boat launch at both locations (although one stated the
21 boat launch at White Bluffs should be moved downstream of the White Bluffs townsite). Seven
22 commenters opposed a boat launch at White Bluffs, citing the need to minimize damage to the
23 bluffs. Two commenters opposed recreation of any type on the Hanford Site. Several expressed
24 the view that only non-motorized vehicles or recreation be allowed on constructed trails. Several
25 others supported access for limited recreation citing, as examples, camp sites for paddlers and
26 access for kayakers and rafters. (Total Low-Intensity Recreation = 25). RL104, RL120, RL154,
27 RL159, RL181, RL185, RL204, RL206, RL222, RL225, RL230, RL242, RL243, RL249, RL296,
28 RL314, RL346, RL355, RL360, RL438, RL440, RLR004, RTP010, RTR006, RTS019
29

30 **DOE's Response:** When the cooperating agencies looked at expanding recreational
31 opportunities along the Columbia River (e.g., boat launches at Vernita and the White Bluffs), two
32 resources areas – biological and cultural – were always scrutinized. The White Bluffs boat
33 launch has cultural significance that would be best preserved by continued operation of the old
34 ferry launches on both sides of the river. Further, establishing a new boat launch would most
35 likely impact existing tribal cultural resources. The two Hanford avian species that are currently
36 protected under the *Environmental Species Act* (ESA) have been placed in the delisting process
37 and will be removed in one to two years. Those Hanford species left on the ESA are three fishes
38 that could be impacted by installation of a new boat ramp near the Vernita Bridge. This type of
39 balancing between resource protection issues and greater access to those resources is why
40 advice from the Site Planning Advisory Board (SPAB) (see Chapter 6) would be so valuable to
41 DOE.
42

43 **F2.1.13 High-Intensity Recreation**

44

45 Thirty-two comments were received regarding High-Intensity Recreation. Twelve were
46 opposed to this land-use designation, while of the twenty in favor, most were in support of the
47 B Reactor museum proposal. One commenter supporting the designation disagreed with closing
48 off recreational opportunities (river access, for example) for 50 years, while another letter
49 expressed support for recreational opportunities in general. One letter expressed the view that no
50 High-Intensity Recreation should be allowed. (Total High-Intensity Recreation = 32). RL042,
51 RL147, RL159, RL170, RL179, RL185, RL204, RL206, RL221, RL225, RL242, RL243, RL249,
52 RL266, RL282, RL314, RL339, RL342, RL344, RL346, RL355, RL440, RL445, RTM009,
53 RTP003, RTP005, RTP007, RTP010, RTP011, RTR001, RTR006, RTS019, RE028, RL046,
54 RL185, RL201, RL204, RL206, RL230, RL288, RL296, RL314, RL343, RL347, RL360, RL445,
55 RTR012

DOE's Response: One of the assumptions DOE used in developing its Preferred Alternative was that the public would support preservation of the Manhattan Project's historical legacy consistent with the B Reactor Museum Association's proposal. The public validated this assumption by supporting the B Reactor Museum proposal during the public comment period on the Revised Draft HRA-EIS. The B Reactor would be designated High-Intensity Recreation to allow tourism of the Federally registered landmark. The High-Intensity Recreation area near Vernita Bridge (where the current Washington State rest stop is located) would be expanded across State Highway 240 and to the south to include a boat ramp and other visitor-serving facilities. Because of DOE Environmental Restoration operational concerns, a boat dock at the B Reactor would not be permitted until the Environmental Restoration activities were completed. However, upon completion of the ER efforts, the B Reactor Museum Association could apply for the appropriate permits to construct a boat dock. Rail access to the site would not be hindered by DOE's Preferred Alternative because the extant rail lines are considered pre-existing nonconformances.

F2.1.14 Research and Development

Letters received on this land-use designation cited the need for restricting or prohibiting Research and Development. Two letters expressed the view that this land use would be too costly and too speculative at this time. Suggestions to limit Research and Development to the 300 Area, LIGO, and FFTF were made. One commenter discussed the need for the EIS to distinguish between large-scale R&D and smaller scale, time-limited activities that would, by their nature, consume less resources. (Total Research and Development = 15). RE028, RL046, RL185, RL201, RL204, RL206, RL230, RL288, RL296, RL343, RL347, RL360, RL445, RTR012

DOE's Response: The DOE considered the need for Research and Development land use on the Hanford Site and included in its Preferred Alternative in the Final HCP EIS an appropriate amount of acreage to provide for any potential future missions for the Hanford Site as well as economic development. The Research and Development land-use areas in the HCP EIS are adjacent to, or on areas currently used for activities similar to, or the same as potential future uses. This land-use designation reflects the DOE mission of science and technology as well as economic development.

F2.1.15 Industrial

Thirty-five commenters addressed the Industrial land-use designation. Some recommended limiting industrial development to the 300 Area and 1100 Area, or areas near the Tri-Cities, which could support the industry with infrastructure. One commenter suggested that a corridor from Energy Northwest (formerly WPPSS) south to the 300 Area. Some expressed that timing was important, that cleanup proceed first, then development, and that existing high-density industrial areas should be filled up first, before expanding land use. One commenter made it clear that industrial development occur only where a documented need exists. A few commenters were against any further industrial development on the Hanford Site. (Total Industrial = 35). RE023, RL174, RL179, RL181, RL204, RL206, RL225, RL230, RL233, RL242, RL249, RL288, RL289, RL314, RL319, RL320, RL322, RL326, RL342, RL343, RL344, RL349, RL355, RL358, RL360, RL443, RL445, RLR001, RTM008, RTP001, RTP005, RTR006, RTR010, RTR011, RTR012

DOE's Response: The need for the Industrial land-use designation is to support the DOE missions of science and technology and Environmental Management (i.e., the cleanup mission). The industrial areas would not be developed at the expense of the cleanup mission, in either budget or schedule. The land designated as Industrial would be developed only with a strategy that embraces development along with the infrastructure to support it.

F2.1.16 Industrial-Exclusive

Several commenters stated that the Industrial-Exclusive use area as shown in the Revised Draft Preferred Alternative should be reconfigured to represent what was shown for Industrial-Exclusive in Alternatives One and Two. Specifically, they felt the small western extension of the 200 Areas should be Preservation. (Total Industrial-Exclusive = 9). RL174, RL179, RL204, RL206, RL314, RL343, RL344, RL445, RTR006

DOE's Response: Preservation was only applied if there was some combination of exceptional resource values (e.g., biological, cultural, and edaphic). This approach allowed Preservation to be applied to the saline vernal pools, the sodic soil greasewood community, the sand dune dependent Indian rice grass community, and other location dependent communities. Still, not all areas with exceptional vegetational structure (e.g., the 200 West Area sagebrush stands) are considered appropriate of the Preservation designation. The presence of sagebrush in the 200 Areas could interfere with DOE's conducting one of its primary missions and there is no combination of values that would elevate the 200 Area sagebrush into a Preservation designation.

F2.1.17 Agriculture

Over 200 commenters addressed Agriculture as a land use. More than 180 were opposed to any agriculture on the Hanford Site, citing the possible endangering of the health of the Columbia River from irrigation runoff, the potential damage to the White Bluffs from irrigation, the need for preservation of the shrub-steppe habitat for wildlife, and the possibility that agriculture on the Hanford Site would be bad, perceptually, for all Washington State agriculture. The 20 letters in support of agriculture cited the need to support world food production, schools (with the resultant taxes), and the rural area in Grant County in need of economic growth. (Total Agriculture = 202). RE004, RE006, RE014, RE017, RE019, RE020, RE021, RE023, RE026, RE029, RL004, RL005, RL006, RL007, RL008, RL012, RL013, RL015, RL016, RL017, RL018, RL019, RL020, RL021, RL023, RL025, RL026, RL028, RL029, RL032, RL034, RL036, RL037, RL038, RL039, RL040, RL041, RL042, RL043, RL044, RL045, RL049, RL055, RL056, RL057, RL058, RL059, RL060, RL062, RL064, RL065, RL067, RL070, RL072, RL074, RL076, RL077, RL084, RL086, RL090, RL092, RL094, RL095, RL099, RL101, RL107, RL112, RL114, RL115, RL117, RL121, RL125, RL131, RL136, RL139, RL140, RL142, RL145, RL148, RL153, RL156, RL157, RL158, RL159, RL161, RL162, RL163, RL164, RL168, RL174, RL175, RL176, RL178, RL179, RL180, RL181, RL182, RL185, RL186, RL187, RL188, RL189, RL190, RL191, RL192, RL194, RL196, RL198, RL206, RL208, RL210, RL212, RL213, RL217, RL218, RL219, RL221, RL223, RL224, RL225, RL227, RL229, RL230, RL236, RL238, RL239, RL242, RL243, RL250, RL252, RL253, RL254, RL255, RL258, RL261, RL266, RL269, RL271, RL280, RL283, RL284, RL289, RL307, RL312, RL314, RL320, RL321, RL326, RL327, RL330, RL339, RL340, RL342, RL343, RL346, RL355, RL356, RL362, RL363, RL369, RL371, RL376, RL379, RL384, RL439, RL451, RLM003, RLR001, RLS005, RTM001, RTM002, RTM004, RTM005, RTM007, RTM009, RTM010, RTM013, RTM015, RTM017, RTM019, RTP003, RTP004, RTP008, RTP011, RTR002, RTR003, RTR004, RTR011, RTR012, RTR013, RTR014, RTR016, RTR018, RTR019, RTR020, RTR024, RTS007, RTS011, RTS013, RTS017, RTS018, RTS019

DOE's Response: In its Preferred Alternative in the Final HCP EIS, DOE would preclude any agriculture on the Hanford Site. In keeping with its policy as a Natural Resource Trustee, DOE has placed entire Wahluke Slope under management of the USFWS as an overlay wildlife refuge.

F2.1.18 Policy

Forty-one letters relating to policy were received. Half of these addressed the payment in lieu of taxes (PILT), expressing that future payments should be based on lost opportunity instead of current use, and that these payments are important to providing equal educational opportunity to the children of Grant County. Two commenters wanted to add to the Policy Statement in Chapter 6 regarding protection and preservation of environmental resources. One commenter

wanted the *Hanford Strategic Plan* to go out for public review. One commenter wanted it noted that there are groundwater and basaltic problems in the area by the river. One commenter expressed a concern that land-use planning should not be used to drive cleanup standards. Another commenter wanted DOE to remain open to the idea of bartering as a way to reach agreement on land use. A summary of comments received under the “policy” category are listed below. (Total Policy = 41). RL154, RL204, RL233, RL297, RL298, RL301, RL303, RL307, RL329, RL332, RL333, RL335, RL336, RL337, RL350, RL351, RL441, RL445, RL447, RLM003, RTM001, RTM004, RTM005, RTM006, RTM010, RTM011, RTM012, RTM016, RTM017, RTM020, RTP001, RTP002, RTP003, RTP009, RTR012, RTS004, RTS006, RTS009, RTS012, RTS022, RTS023

PILT Payments. Twenty letters were received addressing the payment of PILT to Grant County. Fourteen of these cited the need to base future PILT payments on lost opportunity instead of current land use. The remaining 6 letters cited the need for Grant County to receive PILT and the importance of PILT to schools. One commenter cited the preference for opportunity, instead of entitlement.

DOE’s Response: Because DOE has chosen to work with the USFWS to manage the proposed wildlife refuge as an “overlay refuge,” DOE would retain land ownership which, in turn, would maximize the PILT payments to the affected counties. (The DOE pays about 10 times what DOI pays.)

The Grant County Assessor determined the value of developed farmland by computing the average assessed value per acre for personal property, improvements, and land and trees, to arrive at a total average of \$3,091.67. Personal property includes farm machinery and equipment, including above ground irrigation systems. Improvements include the value of farmhouses and farm buildings, including sheds, warehouses, cold storage, etc. Land includes the value of land, plus underground irrigation systems. Trees include the value of orchards, vineyards, etc. In addition, the assumption was made that 33,000 acres, or 94 percent of the irrigable or previously irrigated land under DOE control in Grant County would be developed farmland to arrive at a total estimated taxable value of \$102 million.

One commenter said he believes there is an inequality since DOE only pays PILT based upon the value of land (\$1,225 an acre for irrigable land) and does not include additional values listed above. This commenter’s computation of PILT does not comply with DOE’s PILT policies and is not equitable, considering DOE uses very little of the services provided by the County. If the land were transferred, individuals living on and farming the land would require significantly more services by the County, the additional cost of which would probably be more than the additional taxes, collected. The assumption that 33,000 acres would be developed is an aggressive one. The Grant County Assessor has assumed only 27,000 acres would be developed farmland. The same conditions are set forth in signed intergovernmental agreements with Benton and Franklin Counties and PILT is being consistently applied.

Continuation of Cleanup. Five commenters reiterated the need for continuation of the cleanup mission.

DOE’s Response: The DOE considers the cleanup mission at Hanford to be its primary mission, and the land-use planning effort is complementary to and not in conflict with that mission. In fact, the land-use plan would facilitate the cleanup mission.

Human Health and Safety. Commenters cited the need to consider human health and safety, since parts of the Hanford Site would be contaminated for a long time, if not forever.

DOE’s Response: The DOE has taken into consideration that cleanup would take years to complete to an acceptable level. This land-use plan would enable regulators to set cleanup

standards to levels commensurate with the land use planned at each cleanup site.

Environmental Justice: Some commenters stated that DOE did not adequately address the Environmental Justice impact caused by not expanding farming opportunities on the Wahluke Slope to Hispanic agricultural workers.

DOE's Response: On February 11, 1994, the President issued Executive Order 12898 (59 Fed. Reg. 7629, 1994), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. This Executive Order directs each Federal agency to make environmental justice part of the agency mission. To the greatest extent practicable and permitted by law, Federal agencies must identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations.

As stated in the President's February 11, 1994 memorandum that accompanied the Executive Order, "Each Federal agency shall analyze the environmental effects, including human health, economic, and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by NEPA (42 USC Section 4321, et seq.). Mitigation measures outlined or analyzed in an environmental assessment, environmental impact statement, or record of decision, whenever feasible, should address significant and adverse environmental effects of proposed Federal actions on minority communities and low-income communities." The memorandum and Executive Order ensure that minority and low-income communities will have a voice in the development and implementation of any Federal action that might adversely affect those communities.

In addition, the memorandum and Executive Order indicate that all Federal agencies are to be proactive in identifying and, to the extent practicable, mitigating any potential disproportionately high and adverse impacts on minority and low-income communities that could result from proposed Federal actions.

In order to implement the provisions of Executive Order 12898, the *U.S. Department of Energy Environmental Justice Strategy, Executive Order 12898* (DOE 1995a) was prepared. Guidance provided in this publication, as well as CEQ's *Environmental Justice Guidance under NEPA* (March 1998), and EPA's *Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses* (April 1998) were used, to the extent practicable, in the Revised Draft HRA-EIS.

Because the proposed action for the Wahluke Slope is Preservation, there would no impacts to the Hispanic population because no changes would be made to the current use of the lands. Preservation is consistent with the wishes of the two Tribal Nations who served as consulting Tribal governments for this EIS, and who represent the minority and low-income communities who would be most directly affected by the proposed Federal action.

F2.1.19 Procedure

Several letters had comments regarding membership of the Site Planning Advisory Board (SPAB). The SPAB could be established upon adoption of the Comprehensive Land-Use Plan in the HCP EIS Record of Decision. The inclusion of equal seats for: 1) each Tribe as a sovereign nation, 2) regulators, 3) the National Marine Fisheries Service, 4) the National Science Foundation, and 5) the Washington State Department of Ecology; and less seats for the counties were offered by six commenters as improvements to the SPAB membership as described in the Revised Draft HRA-EIS (Chapter 6). Two commenters wanted the name of the document changed to better reflect the emphasis on land-use planning. Several commenters expressed the opinion that the Secretary of Energy's announcement in April 1999 of the Revised Draft's Preferred Alternative prejudiced the outcome. One commenter noted that cultural reviews should

1 be prepared before land use is designated. One commenter would like the DOE to slow down
2 the decision, and one would like to speed up the decision. One commenter noted that all land-
3 use plans must support and preserve natural resources. A more detailed description of these
4 comments, along with DOE's responses, are listed below. (Total Procedure = 11). RL124,
5 RL154, RL204, RL290, RL292, RL293, RL446, RTM018, RTP013, RTP003, RTS004
6

7 **SPAB Membership.** Commenters cited concerns regarding membership of the SPAB.
8

9 **DOE's Response:** As presented in the Final HCP EIS, the makeup of the SPAB would be the
10 nine cooperating agencies that participated in the preparation of the Revised Draft HRA-EIS and
11 development of the land-use alternatives. However, membership is not necessarily fixed. As an
12 advisory board, the board would support DOE by reviewing and providing advice for Area
13 Management Plans and Resource Management Plans, providing policy advice to DOE in areas
14 involving coordination of land and resource management, and advising DOE during consideration
15 of nonconforming proposals within the boundary of the Hanford Site.
16

17 **Predecisional Announcement.** Some commenters felt the outcome of the public review had
18 been prejudiced by the Secretary of Energy's announcement in April 1999 of the DOE's Preferred
19 Alternative prior to the document being published and in the hands of the public.
20

21 **DOE's Response:** The Secretary's announcement is consistent with the NEPA process and
22 consistent with the DOE's Preferred Alternative. The DOE has indicated in previous drafts of the
23 EIS its support for the proposal to expand the wildlife refuge to include the entire Wahluke Slope
24 and management of the Wahluke Slope for Preservation. The Secretary's announcement
25 supported the DOE's Preferred Alternative proposed in the Revised Draft HRA-EIS. Management
26 of the entire Wahluke Slope for Preservation is consistent with the ROD for the DOI Hanford
27 Reach EIS issued in 1996.

28
29 The DOE has both the right and the responsibility under NEPA to identify the agency's Preferred
30 Alternative. Federal NEPA regulations under 40 CFR 1502.14(e) require the Agency to "...identify
31 the agency's preferred alternative or alternatives, if one of more exists, in the draft statement and
32 identify such alternative in the final statement unless another law prohibits the expression of such
33 as preference." The Secretary's announcement is consistent with the Preferred Alternative in the
34 Final HCP EIS.
35

36 The DOE does not believe that the Secretary's announcement has in any way prejudiced the
37 outcome of the HCP EIS or the development of the NEPA ROD. The DOE has repeatedly
38 expressed its support for management of the Wahluke Slope for Preservation, beginning in 1994
39 when the DOE concurred in the Hanford Reach EIS.
40

41 **Name Change:** Commenters wanted a name change for the document.
42

43 **DOE's Response:** During the public review and comment period on the Revised Draft HRA-EIS,
44 DOE solicited public input on a proposed name change for the EIS document to better reflect its
45 purpose. The DOE proposed changing the name from the *Hanford Remedial Action*
46 *Environmental Impact Statement and Comprehensive Land-Use Plan* (HRA-EIS) to the *Hanford*
47 *Comprehensive Land-Use Plan Environmental Impact Statement* (HCP EIS). The public
48 supported this change, and in the Final EIS the name has been changed.
49

50 **Timing of the Decision:** The timing of the decision was commented on, both for speeding it up
51 and slowing it down.
52

53 **DOE's Response:** The DOE has several legal and policy drivers requiring the preparation of a
54 land-use plan. (Please see comment response under "No-Action Alternative").
55

Cultural/Natural Resources Reviews: Cultural reviews and natural resources should be taken into account when land use is being planned.

DOE's Response: Both cultural reviews and natural resources have been, and would continue to be taken into account when land-use decisions are made. The purpose of the SPAB is to advise the DOE when land-use implementation is being considered.

F2.1.20 Plan

Eight letters addressed the comprehensive land-use plan. One of the commenters cited concern that what appears to be "management by committee" is too risky. Another commenter thanked DOE for keeping the process open. One commenter was glad that Hanford was created, or there would not be all the land there is today available to preserve. One commenter expressed that the time frame for land-use planning should be about seven generations out. Another cited the lack of impacts described from industrial development. Two commenters were concerned that the sensitivity of LIGO to noise and vibration from other activities at Hanford was not adequately addressed. (Total Plan = 8). RL269, RL446, RTM015, RTR009, RTS013, RTS020, RTS025, RTS026

DOE's Response: The CLUP is meant to be a living document that brings DOE into cooperative planning with the local governments where possible, but also allows DOE to fulfill its Federal missions. To make the CLUP a viable planning tool, DOE has proposed a SPAB that would provide a forum for local governments to discuss their planning intentions and how Hanford might fit in as a regional complex. The DOE's NEPA process suggests that EISs which establish land-use plans be reviewed by the NEPA Compliance Officer for revisions on a five-year schedule. As an advisory board, the SPAB would be able to tackle such issues as:

- C The extreme sensitivity of the LIGO facilities to noise and vibration created by other activities on the Hanford Site even though such activities may be at large distances from LIGO.
- C The Energy Northwest lease to continue WNP-2 for power production and also allow for economic reuse of WNP 1 and 4.
- C The 200 Areas where contaminated areas are also important wildlife habitat.
- C How economic development should be coordinated, and where PILT payments fit into the economic health of the region.

F2.1.21 Public Involvement

The DOE received 65 letters and testimonies related to the public involvement process for the Revised Draft HRA-EIS. Specifically, these included comments on the "opportunity to comment" (33), comments on the multiple public hearings (15), and comments on the quality of the document and the work that went into preparing the document (24). A summary of the comments received under this category is provided below. (Total Public Involvement = 65). RE012, RE013, RE028, RL003, RL006, RL043, RL052, RL054, RL103, RL153, RL154, RL166, RL178, RL179, RL185, RL200, RL204, RL205, RL206, RL225, RL228, RL230, RL234, RL270, RL273, RL281, RL290, RL291, RL292, RL304, RL314, RL318, RL319, RL322, RL328, RL341, RL342, RL344, RL345, RL349, RL355, RL361, RL381, RL443, RL445, RLM001, RTM012, RTP001, RTP002, RTP004, RTP005, RTP006, RTP008, RTP010, RTR004, RTR006, RTR011, RTR012, RTR013, RTR014, RTS009, RTS011, RTS015

"Opportunity to Comment." Commenters thanked DOE for the opportunity to review and comment on the document. All but one commenter was appreciative of the comment process,

including the consideration DOE was giving to the comments received, and for listening to the public on this topic. One commenter was discouraged, citing the perception that the decision had already been made.

DOE's Response: The Federal regulations for NEPA, 40 CFR 1500-1508, require DOE to make an EIS available to the public for review and comment. The DOE has considered all comments received on the Revised Draft HRA-EIS, and has made changes to its Preferred Alternative in the Final HCP EIS based on public comments received.

Multiple Public Hearings. Commenters were appreciative of DOE holding public hearings both in Richland, and outside of the Tri-Cities. One commenter pointed out that a hearing is required by NEPA regulations. Commenters in Portland complimented the DOE for going outside Washington State to listen to Oregon residents' concerns regarding "this profound and very important issue." A Mattawa resident cited his appreciation for the DOE going to the location where the issues are closest to the people. One Richland commenter said it was "refreshing" for the DOE to listen.

DOE's Response: The Federal regulations for NEPA, 40 CFR 1503, require DOE to solicit comments from those persons or organizations who may be interested or affected by the decision.

Document Quality/Preparation: Commenters were complimentary about the quality of the document and the amount of work that went into preparing the document. Citations included: "a lot of progress has been made," "It was a tremendous amount of work. It took years to accomplish," "give the DOE congratulations," "good work," "well researched and comprehensive," "excellent research and enormous staff work," "good job of reaching out to the community," "extensive and excellent qualitative evaluation and comparison," "thoughtful and comprehensive," and "high quality assessment." These comments were directed at DOE and the nine cooperating agencies who prepared the document. Commenters also were pleased that DOE was addressing the land-use issue.

DOE's Response: A first draft of the HRA-EIS was published for public review in August 1996. In response to comments received on that first draft, DOE worked with the cooperating agencies and consulting Tribal governments to establish a framework for the environmental analyses and the proposed CLUP policies and implementing procedures presented in this Final HCP EIS. Substantial agreement was reached among the cooperating agencies and consulting Tribal governments on the development of land-use designations, and on the format for determining the potential environmental impacts associated with the land uses proposed in this EIS.

F2.1.22 Salmon

Several letters commented that the salmon need protection. Fifty-two letters were received, all supporting protection of salmon and salmon habitat, supporting salmon recovery efforts, and expressing concern for the dwindling salmon population, the health of the salmon and the people who eat them, and restoration of the salmon runs. Some recommended that we do everything in our power to protect and preserve the salmon and other anadromous fish. (Salmon total = 52). RE005, RE015, RE017, RE021, RL003, RL014, RL025, RL044, RL063, RL069, RL118, RL122, RL146, RL151, RL156, RL162, RL182, RL194, RL209, RL212, RL222, RL223, RL246, RL251, RL261, RL266, RL268, RL284, RL299, RL321, RL324, RL338, RL347, RL356, RL363, RL378, RLR001, RTP004, RTP007, RTP008, RTP012, RTR014, RTR018, RTS007, RTS008, RTS009, RTS010, RTS012, RTS017, RTS018, RTS019, RTS021

DOE's Response: The Hanford Site is home to some of the region's most unique natural resources. In two years, the salmon will be the only endangered species on the Hanford Site. (The Bald Eagle and the Peregrine Falcon have increased in population enough to be taken off

the Endangered Species List.) Salmon prime habitat is in the Columbia River in the Wahluke Slope and along the Hanford Reach. The concern for the erosion of the White Bluffs into the river is the silting of the gravel beds where the salmon spawn. This was a significant factor behind the decision to disallow farming as a land use on the Wahluke Slope in the DOE's Preferred Alternative in the Final HCP EIS.

F2.1.23 Hanford Reach

More than 100 letters were received supporting protection of the Hanford Reach. Most letters cited the critical salmon spawning habitat, as well as the eagles and other wildlife that eat the salmon. Some feel that the future of the entire Northwest depends on the cleanliness of the river. Concern was expressed for the erosion of the White Bluffs, and the effects of orchard growth on the spawning habitat. Although all commenters supported protection of the Reach, three opposed Federal control to achieve that end. One commenter stated that DOE is responsible for contaminating the Reach. (Total Hanford Reach = 109). RE002, RE013, RE015, RE018, RE028, RL031, RL032, RL041, RL042, RL043, RL048, RL052, RL059, RL063, RL074, RL084, RL114, RL116, RL117, RL132, RL133, RL142, RL146, RL154, RL160, RL162, RL177, RL179, RL188, RL191, RL209, RL212, RL214, RL219, RL221, RL235, RL237, RL240, RL241, RL244, RL251, RL262, RL265, RL266, RL268, RL272, RL278, RL281, RL284, RL288, RL291, RL296, RL299, RL303, RL324, RL342, RL344, RL363, RL364, RL366, RL369, RL440, RL448, RL449, RL450, RL451, RLR001, RLR004, RLR006, RTM006, RTM009, RTP001, RTP002, RTP005, RTP006, RTP007, RTP008, RTP011, RTP012, RTR002, RTR004, RTR005, RTR006, RTR008, RTR010, RTR011, RTR013, RTR014, RTR015, RTR016, RTR018, RTR020, RTR022, RTR024, RTR026, RTS001, RTS003, RTS004, RTS007, RTS009, RTS010, RTS011, RTS012, RTS013, RTS016, RTS017, RTS018, RTS019, RTS020

DOE's Response: The Hanford Reach is a valuable national resource, abundant in natural beauty and home to a large biologically diverse wildlife. It is because of the intrinsic value of this free-flowing section of the Columbia River and the area surrounding it that DOE has included the Hanford Reach in the area placed under USFWS management as an overlay wildlife refuge.

F2.1.24 Tribal Rights

Several of the commenters expressed their concern that Tribal rights be honored by DOE. Ten of the twenty-one commenters held firm that all Tribal rights must be supported. Many of the letters also expressed support for the protection of cultural and religious sites from disturbance. One commenter noted that Tribal rights would be protected by local control. One commenter recommended working with the Yakama Indian Nation. One commenter supported modifications to Alternative One to accommodate the needs of the Tribes. One commenter noted that the land need not be given back to farmers since the land was originally stolen from the Wanapum, Yakama, and Nez Perce. One commenter wished DOE had considered an option to deed stewardship back to the Tribes. (Total Tribal Rights = 21). RE023, RL044, RL155, RL159, RL168, RL267, RL291, RL292, RL293, RL354, RL356, RL358, RTP001, RTP002, RTP009, RTP011, RTP013, RTS004, RTS006, RTS011, RTS013

DOE's Response: Tribal governments and DOE agree that the Tribal governments' treaty-reserved right of taking fish at all "usual and accustomed" places applies to the Hanford Reach of the Columbia River where it passes through Hanford, and that treaty rights are inalienable rights exercised by tribal members.

Nevertheless, Tribal governments and DOE disagree over the applicability to the Hanford Site of Tribal members, treaty-reserved rights to hunt, gather plants, and pasture livestock. Both the Tribal governments and DOE can point to legal justification for their positions in this dispute. As this dispute could take years to resolve, the Tribal governments who worked as consulting agencies and DOE decided not to delay completion and implementation of a comprehensive

land-use plan for the Hanford Site while awaiting the resolution of this dispute. Instead, the Tribes and DOE have gone ahead with the land-use planning process while reserving all rights to assert their respective positions regarding treaty rights. Neither the existence of this EIS nor any portion of its contents is intended to have any influence over the resolution of the treaty rights dispute. There are too many instances where DOE and the Tribal governments agree that actions need to be taken to protect Tribal interests where arguing over the legal bases of those interests would be counterproductive to both parties.

F2.1.25 Wild and Scenic River

Of all the commenters addressing a Wild and Scenic River designation for the Columbia River flowing through the Hanford Reach, 37 were in favor of the designation and 6 were opposed. Some of the commenters noted that the designation must be made without delay, and several noted that the river and riverbanks must be protected at all costs. Those opposed cited that such a designation gives no assurance that the area would be managed to meet existing and future local needs, such as water rights. (Total Wild and Scenic = 43). RL119, RL131, RL133, RL134, RL147, RL168, RL182, RL185, RL204, RL206, RL230, RL235, RL240, RL241, RL248, RL268, RL286, RL287, RL289, RL314, RL320, RL321, RL326, RL352, RL356, RL360, RL366, RL440, RLR001, RLR003, RLR004, RTM015, RTP002, RTP003, RTP004, RTR019, RTS001, RTS007, RTS008, RTS016, RTS017, RTS019, RTS024

DOE's Response: The *Wild and Scenic River Act of 1968*, as amended, protects selected national rivers possessing outstanding scenic, recreational, geological, fish and wildlife, historical, cultural, and other similar values. These rivers are to be preserved in a free flowing condition to protect water quality and for other vital national conservation purposes. The Columbia River, along the Hanford Reach, is a 52-mile-long, free-flowing section which is irreplaceable spawning ground for salmon and other anadromous fish. This area, including the banks of the Columbia River, exhibits a unique diversity of plant and animal life, and DOE is committed to protecting the environment along this stretch of the river. However, the designation of the Hanford Reach portion of the Columbia River as a Wild and Scenic River is not within DOE's authority. Public Law 100-605, passed by Congress on November 4, 1988, authorizes a comprehensive study of the Hanford Reach of the Columbia River to identify the outstanding features of the Hanford Reach and its immediate environment, and to examine alternatives for their preservation. The Secretary of the Interior has affirmed the addition of the Hanford Reach to the National Wild and Scenic Rivers System and is waiting for Congressional action to implement the decision.

F2.1.26 Habitat

More than 70 commenters addressed wildlife habitat. Sixty-nine of the letters were in favor of setting aside land for conservation and preservation of habitat, noting that the wildlife needs our protection. Many of the commenters noted that the number of native species, plants, animals, and native plant communities at Hanford; and the diversity and scale of the ecosystem is unique in this area. Many of the commenters mentioned the valuable shrub-steppe habitat, which is home to many species, including the sage sparrow, desert butterflies, and species of snakes, other reptiles, and amphibians. It was noted that at least two new plants to science have been discovered on the Hanford Site. Concern for the well-being of wildlife, plants, wildflowers, and fish habitat was expressed. Some emphasized the need for large areas of land for the wildlife, noting that if the land is fragmented, the wildlife cannot survive. Three commenters did not support wildlife habitat, noting that it is only weeds, and that DOE should not support wildlife over children's education. One of the opposing commenters noted that it is possible for wildlife to coexist with farming and development. (Total Habitat = 72). RE006, RE012, RE015, RE017, RE020, RE023, RL007, RL008, RL013, RL029, RL032, RL038, RL056, RL059, RL060, RL061, RL063, RL067, RL070, RL086, RL087, RL103, RL114, RL123, RL139, RL146, RL158, RL161, RL163, RL164, RL165, RL168, RL171, RL175, RL178, RL179, RL222, RL227, RL238, RL256, RL257, RL261, RL267, RL268, RL272, RL276, RL278, RL288, RL291, RL314, RL326, RL338,

1 RL379, RL445, RL452, RLP001, RLR006, RTM002, RTM007, RTM009, RTP001, RTP007,
2 RTP008, RTP009, RTP011, RTP013, RTP014, RTR002, RTR023, RTS014, RTS017, RTS018
3

4 **DOE's Response:** The DOE recognizes the unique shrub-steppe ecosystem on the Hanford
5 Site, and the abundance of plant and animal life that flourish in the natural state of this area. It is
6 because of the need to protect the environment (meeting DOE's policy as a Natural Resource
7 Trustee), that acreage for preservation is considered a high priority. Many of the plants and
8 animals on the Hanford Site need large expanses of land to survive. The DOE's Preferred
9 Alternative in the Final HCP-EIS protects and preserves the environment by placing a large
10 portion of the Hanford Site under management of the USFWS as an overlay wildlife refuge.
11

12 **F2.1.27 Wahluke Slope**

13

14 The Wahluke Slope was the topic for many commenters. A total of 63 commenters cited
15 concerns regarding the Wahluke Slope. More than half (59 percent) were against any farming on
16 the Wahluke Slope. Ten supported farming for the area, particularly its suitability for irrigated
17 production. Seventeen commenters supported an impartial study of all of the potential uses of
18 the Wahluke Slope. (Total Wahluke Slope = 63). RE012, RE029, RL117, RL121, RL131, RL160,
19 RL161, RL163, RL179, RL204, RL221, RL222, RL250, RL268, RL283, RL288, RL297, RL298,
20 RL301, RL305, RL308, RL324, RL329, RL332, RL333, RL335, RL336, RL337, RL347, RL350,
21 RL351, RL352, RL363, RL441, RL447, RL450, RLM001, RTM005, RTM010, RTM011, RTM012,
22 RTM013, RTM014, RTM015, RTM020, RTP005, RTP006, RTP007, RTP008, RTR002, RTR006,
23 RTR009, RTR013, RTR014, RTS001, RTS002, RTS003, RTS007, RTS010, RTS011, RTS012,
24 RTS017, RTS021
25

26 **DOE's Response:** The DOE's Preferred Alternative in the Final HCP EIS would preclude
27 agricultural activities on the Hanford Site. The DOE has placed the entire Wahluke Slope under
28 the management of the USFWS as an overlay wildlife refuge, as the WDFW, the USFWS, and
29 the U.S. EPA support the designation of the entire Wahluke Slope for Preservation. The WDFW,
30 the USFWS, and DOE have recognized that the White Bluffs overlooking the Columbia River are
31 fragile and have been sloughing off into the Columbia River, in part due to irrigation runoff. Also,
32 the Wahluke Slope is the last remaining large and healthy shrub steppe ecosystem in the Pacific
33 Northwest, and the Hanford Reach is the last free-flowing section of the Columbia River. In
34 recognition of the fragility of the White Bluffs and the important ecological and cultural resources
35 of the Wahluke Slope and the Hanford Reach, DOE has, in its Preferred Alternative in the Final
36 HCP EIS, designated the entire Wahluke Slope for Preservation as an overlay wildlife refuge.
37

38 The DOE believes that further studies of the potential uses of the Wahluke Slope are not
39 warranted. The DOE believes that adequate studies have already been conducted to assess the
40 potential impacts of alternative uses of the Wahluke Slope. Potential environmental, cultural, and
41 socioeconomic impacts of alternative uses of the Wahluke Slope were assessed. Further
42 studies would essentially duplicate analyses already conducted for the Draft and Revised Draft
43 HRA-EIS and studies conducted by the National Park Service in support of the 1994 Hanford
44 Reach Environmental Impact Statement for the Comprehensive River Conservation Study
45 (referred to as the Hanford Reach EIS) and the ensuing 1996 DOI ROD. The Hanford Reach EIS
46 and ROD were Congressionally mandated to assess the outstanding features of the Hanford
47 Reach and its environs, including environmental and cultural values, and to examine alternatives
48 for preserving those values. The ROD concluded that, in order to protect the White Bluffs and
49 the cultural and ecological resources of the Wahluke Slope, the entire Wahluke Slope should be
50 managed as a wildlife refuge by the USFWS.
51

52 The DOE concurred in the 1994 DOI Hanford Reach EIS. Management of the Wahluke Slope for
53 Preservation as an overlay wildlife refuge under the Preferred Alternative is consistent with that
54 concurrence. The 1996 ROD for the Hanford Reach EIS precludes DOE from managing the
55 Wahluke Slope in a manner that would any adverse impacts on the values for which the Wahluke

Slope is under consideration for National Wildlife Refuge status.

F2.1.28 Split Record of Decision

Many commenters supported a split ROD to expedite the designation of a wildlife refuge (i.e., without waiting for the cleanup to be completed). One hundred and eighty-six commenters wrote concerning this issue. A few commented that they wanted the separate decision no later than December 1999. (Total Split ROD = 186). RE002, RE003, RE009, RE010, RE019, RE021, RE026, RL005, RL006, RL007, RL008, RL009, RL010, RL013, RL014, RL015, RL016, RL017, RL018, RL019, RL022, RL023, RL027, RL033, RL034, RL035, RL037, RL041, RL042, RL048, RL049, RL051, RL052, RL053, RL055, RL057, RL064, RL065, RL066, RL068, RL069, RL074, RL076, RL078, RL079, RL080, RL081, RL082, RL083, RL084, RL085, RL087, RL089, RL092, RL093, RL095, RL096, RL099, RL100, RL101, RL102, RL103, RL104, RL105, RL107, RL109, RL112, RL115, RL125, RL127, RL128, RL129, RL130, RL132, RL133, RL134, RL135, RL136, RL138, RL139, RL140, RL148, RL149, RL150, RL151, RL154, RL158, RL160, RL165, RL167, RL172, RL174, RL177, RL179, RL184, RL185, RL187, RL189, RL191, RL192, RL193, RL194, RL203, RL204, RL206, RL207, RL211, RL213, RL215, RL216, RL220, RL222, RL223, RL224, RL225, RL228, RL230, RL231, RL236, RL239, RL242, RL243, RL245, RL246, RL247, RL249, RL252, RL253, RL254, RL255, RL256, RL257, RL261, RL262, RL266, RL267, RL268, RL271, RL273, RL274, RL275, RL276, RL277, RL280, RL281, RL282, RL294, RL309, RL312, RL314, RL315, RL316, RL320, RL323, RL340, RL342, RL360, RL363, RL365, RL368, RL369, RL371, RL376, RL377, RL378, RL379, RL380, RL382, RL448, RL450, RLR005, RLR006, RLS002, RLS005, RTP004, RTP006, RTP008, RTP012, RTR005, RTR006, RTR008, RTR012, RTS014, RTS018, RTS019, RTS020.

DOE Response: While the scope of the Final HCP-EIS covers land-use planning for the entire Hanford Site, it defers the evaluation of impacts associated with individual remedial actions to Tri-Party Agreement documents. The ROD for this Final HCP-EIS is scheduled to be published in November 1999; therefore, no “separate” ROD needs to be published in order to expedite the implementation of the Hanford Comprehensive Land-Use Plan.